

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

JOHN CARTER,

Plaintiff,

vs.

AMBER DAVIS, an individual; GARY  
BURKE, an individual; MICHELLE SMITH,  
and DEBORAH STAMM,

Defendants.

**7:19CV5011**

**ORDER**

THIS MATTER came before the Court upon Plaintiff's Motion for Emergency Telephonic Ex-Parte Hearing for Injunctive Relief (Filing No. 4) on the levy against Plaintiff's wages on October 7, 2019. The Court being duly advised in the premises finds that the Motion for an ex-parte telephonic hearing should be DENIED at this time. Further the Court finds the Plaintiff will NOT suffer great and irreparable injury if a preliminary injunction is not granted until the Court can hold a telephonic hearing on these issues with all parties. The Court will schedule a telephonic hearing for October 10, 2019 at 2:30 PM. Further, the parties are ordered to brief this matter prior to the hearing.

THEREFORE, the Plaintiff's motion for an ex parte hearing is denied. Filing No. 4. The Court will hold a telephonic hearing in this case. The telephonic hearing is scheduled for October 10, 2019 at 2:30 PM. The parties are ordered to provide the Court with a brief prior to the hearing.

Dated this 7th day of October, 2019.

BY THE COURT:

s/ Joseph F. Bataillon  
Senior United States District Judge